UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 March 2009_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-7, 12-33 and 38-52_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-7, 12-33, 38-52_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 3/2/2009 have been fully considered but they are not

persuasive.

        Applicant argues that amended features of claims 1, 27 and 50 are not taught by the

references. However, examiner disagrees. The references teach amended features as discussed

in the office action below.

        Regarding claims 51 and 52 applicant argues that Sheu does not teach the feature of

creating an authentication record by parsing the information associated with the communication.

Examiner agrees. However, as indicated in the previous and current office action such feature is

taught by the secondary reference – Justice. Applicant merely argues that Justice does not teach

such limitation. However, examiner disagrees. The limitation is taught by Justice as discussed

in the office action below.

Claim Rejections - 35 USC § 103

2.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

3.   Claims 1-3, 6, 12-14, 22-25, 27-29, 32, 38, 39, 45-48, 50 are rejected under 35

U.S.C. 103(a) as being unpatentable over Sheu (USPN 7,099,301) in view of Kneipp (USPN

6,102,970) and Meisel (USPN 7,197,640).

        Regarding claim 1, Sheu teaches a computerized method for monitoring

communications in a packet switched network **[Col. 2, lines 34-48]**, the method comprising:

initiating a communication between a network endpoint associated with a call mediator and at

least a second network endpoint **[Col. 8, lines 53-60, Col. 9, lines 1-7, 160 is associated with**

150 as shown in Fig. 5 and described in Col. 7, lines 6-9]; recording, at the call mediator,

information associated with the communication **[Col. 8, lines 32-34]**; and upon termination of

the communication, communicating, from the call mediator to an enterprise gatekeeper, the

information associated with the communication **[Col. 9, lines 37-40]**.

However, Sheu does not teach recording an alphanumeric termination cause code; and

translating the alphanumeric termination cause code into a numeric termination cause code,

where in translating the alphanumeric termination cause code is performed by the enterprise

gatekeeper.

Kneipp teaches recording an alphanumeric termination cause code **[Col. 4, lines 38-47]**,

indicating a reason the communication was disconnected **[Fig. 6A, 146, the termination code**

indicated why and how the call was disconnected]. Meisel teaches translating the

alphanumeric termination cause code into a numeric termination cause code, where in translating

the alphanumeric termination cause code is performed by the enterprise gatekeeper **[Col. 3, lines**

50-52].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to record an alphanumeric termination code at call mediator so that type of reply can

be determined from alphanumeric code **[Fig. 6A]** and translate the alphanumeric code into a

numeric termination cause code so that unique alphanumeric codes can be generated **[Col. 3,**

lines 52-56].

Regarding claim 2 and 28, Sheu teaches the communication comprises a VoIP

communication **[Col. 9, lines 15-25]**.

Regarding claim 3, Sheu teaches recording a network identifier associated with a network endpoint **[Col. 7, lines 1-5]**.

Regarding claims 6 and 32, Sheu teaches recording the duration of the communication **[Col. 9, lines 37-40]**.

Regarding claim 12, Meisel teaches translating the alphanumeric code into to a PSTN numeric termination cause code **[Col 3, lines 50-56, translating alphanumeric code on a telephone translates the code to a PSTN code since numbers on a telephone form a unique code where telephone is part of PSTN network]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to translate the alphanumeric code into a numeric termination cause code so that unique alphanumeric codes can be generated **[Col. 3, lines 52-56]**.

Regarding claims 13 and 38, Sheu teaches communicating the information in a disconnect request **[Col. 9, lines 34-40]**.

Regarding claims 14 and 39, Sheu teaches communicating a disconnect request containing a billing token containing information associated with the communication **[Col. 9, lines 34-40, user-relate credit information indicates billing info for user]**.

Regarding claims 22 and 45, Sheu teaches a call mediator located at a customer site serviced by an enterprise gatekeeper located at a different location **[Fig. 5, 160 is associated with 150 and located at customer site as described in Col. 5, lines 40-46, Gatekeeper 140 is located at different location as described in Col. 5, lines 50-52]**.

Regarding claim 23 and 46, Sheu teaches a call mediator is controlled by a customer [Fig. 5, 160, it's a single user device so is controlled by a customer] and an enterprise gatekeeper

is controlled by a service provider [Fig. 5, 140 is associated with a database which is controlled by a service provider].

   Regarding claims 24 and 47, Sheu teaches recording information that is accessible to the customer controlling the call mediator [Col. 6, lines 55-59, gateway 160 (which is call mediator) sends information to gatekeeper that is also accessible by customer].

   Regarding claims 25 and 48, Sheu teaches storing the information associated with the communication at the enterprise gatekeeper **[Col. 9, lines 37-42]**.

   Regarding claim 27, Sheu teaches a system for monitoring communications in a packet switched network **[Col. 2, lines 34-48]**, the system comprising: a first network endpoint associated with a call mediator **[Fig. 2, 150a is associated with 160a as shown in Fig. 5]**; at least a second network endpoint **[Fig. 2, 150b]**; and an enterprise gatekeeper **[Fig. 2, 140a]**; wherein the first network endpoint initiates a communication with the second network endpoint **[Col. 8, lines 53-60, Col. 9, lines 1-7]**; wherein the call mediator records information associated with the communication **[Col. 8, lines 32-34]**; and wherein upon termination of the communication, the call mediator communicates to the enterprise gatekeeper, the information associated with the communication **[Col. 9, lines 37-40]**.

   However, Sheu does not teach recording an alphanumeric termination cause code; and the enterprise gatekeeper is programmed to translate the alphanumeric termination cause code to a PSTN numeric termination cause code.

   Kneipp teaches recording an alphanumeric termination cause code **[Col. 4, lines 38-47]**, indicating a reason the communication was disconnected **[Fig. 6A, 146, the termination code indicated why and how the call was disconnected]**. Meisel teaches the enterprise gatekeeper is

programmed to translate the alphanumeric termination cause code to a PSTN numeric

termination cause code **[Col 3, lines 50-56, translating alphanumeric code on a telephone**

translates the code to a PSTN code since numbers on a telephone form a unique code where

telephone is part of PSTN network].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to record an alphanumeric termination code at call mediator so that type of reply can

be determined from alphanumeric code **[Fig. 6A]** and translate the alphanumeric code into a

numeric termination cause code so that unique alphanumeric codes can be generated **[Col. 3,**

lines 52-56].

Regarding claim 29, Sheu teaches the information associated with the communication

comprises a network identifier associated with a network endpoint **[Col. 7, lines 1-5]**.

Regarding claim 50, Sheu teaches a computerized method for monitoring

communications in a packet switched network **[Col. 2, lines 34-48]**, the method comprising:

initiating a communication between a network endpoint associated with a call mediator and at

least a second network endpoint **[Col. 8, lines 53-60, Col. 9, lines 1-7, 160 is associated with**

150 as shown in Fig. 5 and described in Col. 7, lines 6-9]; recording, at the call mediator,

information associated with the communication **[Col. 8, lines 32-34]**; and upon termination of

the communication, communicating, from the call mediator to an enterprise gatekeeper, the

information associated with the communication **[Col. 9, lines 37-40]**.

However, Sheu does not teach recording an alphanumeric termination cause code; and

translating the alphanumeric termination cause code into a PSTN numeric termination cause

code.

Kneipp teaches recording an alphanumeric termination cause code **[Col. 4, lines 38-47]**, indicating a reason the communication was disconnected **[Fig. 6A, 146, the termination code indicated why and how the call was disconnected]**. Meisel translating the alphanumeric termination cause code into a PSTN numeric termination cause code **[Col 3, lines 50-56, translating alphanumeric code on a telephone translates the code to a PSTN code since numbers on a telephone form a unique code where telephone is part of PSTN network]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to record an alphanumeric termination code at call mediator so that type of reply can be determined from alphanumeric code **[Fig. 6A]** and translate the alphanumeric code into a numeric termination cause code so that unique alphanumeric codes can be generated **[Col. 3, lines 52-56]**.

4.   Claims 4, 5, 7, 30, 31, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheu (USPN 7,099,301) in view of Kneipp (USPN 6,102,970) and Meisel (USPN 7,197,640) and further in view of Galloway (USPN 5,430,709).

Regarding claims 4 and 30, Sheu teaches a method and a system as discussed in rejection of claim 1 and claim 27.

However, Sheu does not teach recording the start time of the communication.

Galloway teaches recording the start time of the communication **[Col. 9, lines 16-27]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a call mediator that records the start time of the communication so that call generation time could be determined **[Col. 9, lines 16-27]**.

Regarding claim 5 and 31, Sheu teaches a method and a system as discussed in rejection of claim 1 and claim 27.

However, Sheu does not teach recording the stop time of the communication.

Galloway teaches recording the stop time of the communication **[Col. 9, lines 16-27]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a call mediator that records the stop time of the communication so that most recently received packet could be determined **[Col. 9, lines 16-27]**.

Regarding claims 7 and 33, Sheu teaches a method and a system as discussed in rejection of claim 1 and claim 27.

However, Sheu does not teach recording an amount of data transferred between the network endpoints.

Galloway teaches recording an amount of data transferred between the network endpoints **[Col. 9, lines 43-45]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a call mediator that records an amount of data transferred between the network endpoints so that amount of data transferred can be validated **[Col. 9, lines 43-45]**.

5.   Claims 15 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheu (USPN 7,099,301) in view of Kneipp (USPN 6,102,970) and Meisel (USPN 7,197,640) and in further view of Kwan et al. (US-PGPUB 2004/0255154).

Regarding claim 15, Sheu teaches a method as discussed in rejection of claim 15.

However, Sheu does not teach creating an authentication record containing information associated with the communication by parsing the information associated with the communication.

Kwan teaches creating an authentication record containing information associated with the communication by parsing the information associated with the communication **[Page 5, Paragraph 63]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create an authentication record by parsing the communication information so that it can be determined if associated information has been provided for the user **[Page 5, Paragraph 63]**.

Regarding claim 40, Sheu teaches enterprise gatekeeper creates an authentication record containing information associated with the communication **[Col. 9, lines 37-40, updating credit information will update authentication record]**.

However, Sheu does not teach creating an authentication record by parsing the information associated with the communication.

Kwan teaches creating an authentication record containing information associated with the communication by parsing the information associated with the communication **[Page 5, Paragraph 63]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create an authentication record by parsing the communication information so that it can be determined if associated information has been provided for the user **[Page 5, Paragraph 63]**.

6.   Claims 16 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheu

(USPN 7,099,301) in view of Justice et al. (USPN 6,516,056) and in further view of Kwan et al.

(US-PGPUB 2004/0255154).

Regarding claim 16 and 41, the references teach a system as discussed in rejection of

claim 51 and 52.

However, the references do not teach creating a RADIUS record.

Kwan teaches creating a RADIUS record **[Page 5, Paragraph 63]**.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to create a RADIUS record so that user authentication functions can be performed

[Page 3, Paragraph 33].

7.   Claims 17, 20, 21, 44, 51, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Sheu (USPN 7,099,301) in view of Justice et al. (USPN 6,516,056).

Regarding claim 17, Sheu further teaches creating an authentication record is performed

by the enterprise gatekeeper **[Col. 9, lines 37-40, updating credit information will update

authentication record]**.

Regarding claim 20, Justice teaches creating a billing record is performed by the remote

authentication server **[Col. 6, lines 1-14]**.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to create a billing record at the remote authentication server to avoid frauds **[Col. 6,

lines 1-14]**.

Regarding claims 21 and 44, Justice teaches communicating from the remote authentication server to a billing server, the billing call record **[Col. 5, lines 59-63, server 38 is gatekeeper for network shown in Fig. 1]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate the authentication record from gatekeeper to a remote authentication server so that fraud can be checked **[Col. 5, lines 63-67]**.

Regarding claim 51, Sheu teaches a computerized method for monitoring communications in a packet switched network **[Col. 2, lines 34-48]**, the method comprising: initiating a communication between a network endpoint associated with a call mediator and at least a second network endpoint **[Col. 8, lines 53-60, Col. 9, lines 1-7, 160 is associated with 150 as shown in Fig. 5 and described in Col. 7, lines 6-9]**; recording, at the call mediator, information associated with the communication **[Col. 8, lines 32-34]**; and upon termination of the communication, communicating, from the call mediator to an enterprise gatekeeper, the information associated with the communication **[Col. 9, lines 37-40]**.

However, Sheu does not teach creating an authentication record containing information associated with the communication by parsing the information associated with the communication; communicating the authentication record from the enterprise gatekeeper to a remote authentication server; and creating a billing call record by parsing the authentication record.

Justice teaches creating an authentication record containing information associated with the communication by parsing the information associated with the communication **[Fig. 11, information associated with phone number is used to create an authentication record]**;

communicating the authentication record from the enterprise gatekeeper to a remote

authentication server **[Col. 5, lines 59-63, server 38 is gatekeeper for network shown in Fig.

1]**; and creating a billing call record by parsing the authentication record **[Col. 4, lines 35-52]**.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to create a billing record and communicating authentication record to a authentication

server so that fraudulent activity can be avoided **[Col. 5, lines 63-67]**

Regarding claim 52, Sheu teaches a system for monitoring communications in a packet

switched network **[Col. 2, lines 34-48]**, the system comprising: a first network endpoint

associated with a call mediator **[Fig. 2, 150a is associated with 160a as shown in Fig. 5]**; at

least a second network endpoint **[Fig. 2, 150b]**; and an enterprise gatekeeper **[Fig. 2, 140a]**;

wherein the first network endpoint initiates a communication with the second network endpoint

[Col. 8, lines 53-60, Col. 9, lines 1-7]; wherein the call mediator records information associated

with the communication **[Col. 8, lines 32-34]**; and wherein upon termination of the

communication, the call mediator communicates to the enterprise gatekeeper, the information

associated with the communication **[Col. 9, lines 37-40]**.

However, Sheu does not teach the enterprise gatekeeper is programmed to create an

authentication record containing information associated with the communication by parsing the

information associated with the communication; the enterprise gatekeeper is programmed to

communicate the authentication record to a remote authentication server; and the remote

authentication server is programmed to create a billing call record by parsing the authentication

record.

Justice teaches the enterprise gatekeeper is programmed to create an authentication

record containing information associated with the communication by parsing the information

associated with the communication **[Fig. 11, information associated with phone number is**

used to create an authentication record]; the enterprise gatekeeper is programmed to

communicate the authentication record to a remote authentication server **[Col. 5, lines 59-63,**

server 38 is gatekeeper for network shown in Fig. 1]; and the remote authentication server is

programmed to create a billing call record by parsing the authentication record **[Col. 4, lines 35-**

52].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to create a billing record and communicating authentication record to a authentication

server so that fraudulent activity can be avoided **[Col. 5, lines 63-67]**.

8.   Claims 18, 19, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sheu (USPN 7,099,301) in view of Kneipp (USPN 6,102,970) and Meisel (USPN 7,197,640)

and Kwan et al. (US-PGPUB 2004/0255154) as applied to claim 15 and 40 above, and further in

view of Justice et al. (USPN 6,516,056).

Regarding claims 18 and 42, the references teach a method and a system as discussed in

rejection of claim 15 and 40.

However, the references do not teach sending authentication record from the enterprise

gatekeeper to a remote authentication server.

Justice teaches sending authentication record from the enterprise gatekeeper to a remote authentication server **[Col. 5, lines 59-63, server 38 is gatekeeper for network shown in Fig. 1]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to communicate the authentication record from gatekeeper to a remote authentication server so that fraud can be checked **[Col. 5, lines 63-67]**.

Regarding claim 19 and 43, Justice teaches creating a billing call record by parsing the authentication record **[Col. 4, lines 35-52]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create a billing record by parsing the authentication record so that fraud can be checked **[Col. 5, lines 63-67]**.

9.   Claims 26 and 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheu (USPN 7,099,301) in view of Kneipp (USPN 6,102,970) and Meisel (USPN 7,197,640) and further in view of Devine et al. (USPN 6,763,376).

Regarding claims 26 and 49, Sheu teaches a method and a system as discussed in rejection of claim 25 and 49.

However, Sheu does not teach the information stored at the enterprise gatekeeper is not accessible to the customer.

Devine teaches information stored at the enterprise gatekeeper is not accessible to the customer **[Col. 9, lines 10-21]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to not let customer's access information at the enterprise gatekeeper to ensure internal systems security and integrity **[Col. 9, lines 19-21]**.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrahas Patel whose telephone number is (571)270-1211. The examiner can normally be reached on Monday through Thursday 7:30 to 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
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Examiner, Art Unit 2416